

UNITED STATES DISTRICT COURT FOR THE  
MIDDLE DISTRICT OF NORTH CAROLINA  
Civ. Action No. 1:12-cv-00618-TDS-JEP

WILLIAM BELLAMY, ADAM COVINGTON, :  
VERNON MCKINNON, MICHAEL MEGINNIS, :  
TROY SORRELL and MICHAEL WILLIAMS, :  
Plaintiffs, :  
vs. :  
CITY OF ROCKINGHAM, NORTH CAROLINA :  
Defendant. :  
:

**ORDER ON JOINT MOTION FOR  
COURT APPROVAL OF SETTLEMENT**

This matter is before the Court upon a joint motion by the parties for the Court's approval of the mediated settlement of the Fair Labor Standards Act claims asserted in this action. After having reviewed the pleadings in this matter and the prior case (the *Barber* lawsuit, referenced in the Complaint) and having heard from counsel for the parties, the Court, for the reasons set forth below, approves of this settlement.

Counsel explained the nature of the FLSA claims in controversy, which centered primarily on whether the Defendant's decision to modify the Plaintiffs' salary arrangement subsequent to settlement of the *Barber* lawsuit violated the anti-retaliation provisions of the FLSA. Counsel pointed out that the Defendant City, while disputing liability, has agreed to pay back pay covering the entire disputed period, as well as making certain other concessions to the Plaintiffs.

Counsel also pointed out that the City's "fluctuating workweek" salary system was examined thoroughly in the *Barber* lawsuit. The one defect in the firefighters' salary plan which

all parties in the *Barber* case agreed was present (the failure to include longevity pay in the calculation of the “regular rate”) was appropriately addressed by the City.

The Court finds that the settlement is a reasonable compromise over contested issues. The Court further finds that the amount of attorney’s fees and costs is reasonable.

This the \_\_\_\_ day of March, 2013.

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UNITED STATES DISTRICT JUDGE